

Case 3:05-cv-05602-RBL Document 38 Filed 04/11/2006 Page 1 of 4

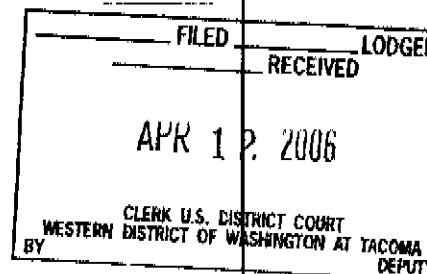
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The Honorable Ronald B. Leighton

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05-CV-05602-ORD



10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 H. STANLEY GASS and UTE LINDSAY) No. C0 5-5602 RBL
14 GASS, husband and wife,)
15 Plaintiffs,) STIPULATED AGREEMENT
16 vs.)
17 ALBERT F. SCHLOTFELDT and)
18 CHRISTOPHER E. ROY and DUGGAN,)
19 SCHLOTFELDT & WELCH, PLLC,)
20 Defendants.)

21 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff H. STANLEY
22 GASS, on behalf of himself and his marital community, and Albert F. Schlotfeldt, Christopher E.
23 Roy, and Duggan, Schlotfeldt & Welch, PLLC (collectively "Defendants"), by and through their
24 respective counsel, as follows:

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28 STIPULATED AGREEMENT AND
MOTION FOR DISMISSAL - 1

PAIN, HAMBLEN, COFFIN, BROOKE & MILLER LLP
717 WEST SPRAGUE AVENUE, SUITE 1200
SPOKANE, WASHINGTON 99201-3505 PHONE (509) 455-6000

1. On March 31, 2006, the Honorable Ronald B. Leighton granted Defendants' Motion
for Summary Judgment;

2. On April 3, 2006, Defendants filed a Motion for Reasonable Attorney Fees pursuant to Fed.R.Civ.P. 11 and noted the Motion for April 28, 2006;

3. The parties wish to enter into a binding agreement that resolves all disputes between them. To that end, the parties agree as follows:

- (a) That Defendants shall and do hereby withdraw their Motion for Reasonable Attorney Fees Pursuant to Fed.R.Civ.P. 11, filed April 3, 2006;
 - (b) That H. Stanley Gass, on behalf of himself and his marital community, hereby releases and forever discharges any and all past or present claims, causes of action or demands of any nature whatsoever, which were or could have been brought in or are related to either the above-captioned matter or in the legal proceedings commenced in the Superior Court of Clark County, Washington under Cause No. 04 2 01931 5;
 - (c) That H. Stanley Gass, on behalf of himself and his marital community, will not appeal or otherwise seek judicial review of the Order on Motions for Summary Judgment, entered by the Honorable Judge Ronald B. Leighton in the above-captioned matter on March 31, 2006, and

(d) That H. Stanley Gass, on behalf of himself and his marital community, shall not file, lodge or otherwise pursue any claims or complaints against the Defendants or Olson Engineering, Inc. in any forum of any kind or nature. If, in violation of this agreement, such claims or complaints are made, upon presentment of this agreement to the forum in which such claims or complaints are filed or lodged said complaints or claims shall be dismissed;

4. That in the event of any breach of the above agreement, Defendants shall be entitled to seek damages and renew their Motion for Reasonable Attorney Fees Pursuant to Fed.R.Civ.P. 11;

5. That in the event it becomes necessary for Defendants to enforce the terms of the above agreement, whether in this action or any subsequent action, Defendants shall be entitled to an award of their reasonable costs and attorney fees incurred in connection therewith.

DATED this 11th day of April, 2006. DATED this 11th day of April, 2006.

PAIN, HAMBLIN, COFFIN,
BROOKE & MILLER, LLP

By: /s/ H. STANLEY GASS

H. Stanley Gass, *Pro Se*
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By: /s/ WILLIAM J. SCHROEDER

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IT IS SO ORDERED THIS 12th DAY OF April, 2001.

UNITED STATES DISTRICT COURT JUDGE

**STIPULATED AGREEMENT AND
MOTION FOR DISMISSAL - 3**

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